

Message Text

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ACTION AID-59

INFO OCT-01 NEA-10 ISO-00 L-03 EB-08 TRSE-00 CIAE-00

IGA-02 PRS-01 SS-15 AGRE-00 DODE-00 /099 W

-----211011Z 039406 /13

P 210500Z APR 77

FM AMEMBASSY SANA

TO SECSTATE WASHDC PRIORITY 1027

INFO AMCONSUL KARACHI

AMEMBASSY ROME

UNCLAS SANA 1530

KARACHI FOR AGG

ROME FOR FODAG PASS TO CRS

E.O. 11652: N/A

SUBJECT: NEW TITLE II AGREEMENT NEGOTIATIONS

REF: SANA 0562

1. AS RESULT OF NEGOTIATING SESSION, APRIL 19, YARG ACCEPTS

INLAND HANDLING COST PAYMENT ON FOLLOWING SCHEDULE:

CRS PERCENT YARG PERCENT

JULY 1, 77 - JUNE 30, 78 50 50

JULY 1, 78 - JUNE 30, 79 40 60

JULY 1, 79 - JUNE 30, 80 25 75

AFTER JULY 1, 80 0 100

2. REFTTEL, PARA 2.B, RETENTION OF AUTONOMY REQUIRED TO PERFORM

CRS END-USE CHJAKS AND MINITORING OF FOOD DISTRIBUTION ACTIVITIES

REMAINS ONLY OBSTACLE TO CONCLUSION OF AGREEMENT. ON THIS ISSUE,

MISSION, CRS, AND YARG MAINTAIN DIVERGENT POSITIONS OUTLINE BELOW:

A. YARG: IN SESSION APRIL 19, DEPTUY PRIME MINISTER INTERNAL

AFFAIRS RETIERATED YARG POSITION THAT YARG PORPOSES

RETENTION OF SUBSTANTIAL CONTROL OVER HIRING AND FIRING OF ALL CRS

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LOCAL EMPLOYEES. E.G. CRS WOULD SUBMIT LIST OF UP TO FOUR

ACCEPTABLE CANDIDATES FOR A POSITION. MINISTRY LABOR/SOCIAL

WELFARE WOULD SELECT FINAL CANDIDATE. CRS WILL HAVE RIGHT TO

SUSPEND LOCAL EMPLOYEE FOR CAUSE;HOWEVER, FINAL FUDGMENT WOULD

BE BASED ON YARG EVALUATION OF EVIDENCE. COMMENT: YARG VIEW

OF THIS POSITION IS THAT IT IS IN COOPERATION WITH SPONSORING

AGENCY, BUT IN FINAL ANALYSIS YARG IS HOLDING FIRM ON

WHAT APPEARS TO BE AN AREA OF CONTROL WHICH INFRINGES ON CRS OPERATIONAL INDEPENDENCE AND CONTROL. YARG CONSIDERS THIS CONTROL AS THEIR PREROGATIVE REGARDLESS OF WHO FUNDS THE SALARIES.

B. CRS: AT MISSION REQUEST CRS ENTERED APRIL 19 SESSION WITH "HARD" LINE; I.E.: UNDER AGREEMENT RESPONSIBILITIES OF YARG QUOTE: PROVIDE CRS WITH THE FUNDS NECESSARY TO COVER THE ANNUAL SALARIES OF YEMENI EMPLOYEES AND OTHER OFFICE, TRAVEL AND ADMINISTRATIVE EXPENSES IN YEMEN. CRS WILL NOTIFY COUNTERPART AGENCY OF ANY NEWLY HIRED LOCAL STAFF AND ALSO SAME WILL APPLY TO THE DISMISSAL OF ANY LOCAL EMPLOYEE. END QUOTE. YARG REJECTED THIS POSITION. COMMENT: BASED ON PREVIOUS INSTRUCTIONS FROM CRS/ROME, CRS/YEMEN WILLING TO COMPROMISE TO FOLLOWING EXTENT: CALUSE ABOVE BEGINNING PROVIDE CRS, ENDING, IN YEMEN, REMCINS. SENTENCE, CRS WILL NOTIFY ... LOCAL EMPLOYEE, ELIMINATED. CONCURRENT WITH CONCLUSION OF AGREEMENT MEMO OF UNDERSTANDING WOULD FOLLOW: QUOTE: IT IS MUTUALLY AGREED THAT THE PRESENT LOCAL EMPLOYEES NOW EMPLOYED BY CRS/YEMEN WILL CONTINUE IN THE SAME CAPACITY AFTER THE AGREEMENT IS SIGNED. ANY FUTURE LOCAL EMPLOYEES FOR THE PROGRAM WILL BE ACCEPTABLE ONLY UPON APPROVAL BY NPCFN AND CRS IN WRITING. ANY DISMISSAL OF LOCAL EMPLOYEES DUE TO CAUSE WILL ONLY BE EFFECTIVE UPON MUTUAL APPROVAL IN WRITING BY CRS AND COUNTERPART AGENCY (NATIONAL PERMANENT COUNCIL FOOD/NUTRITION). FURTHER THIS CLAUSE IS ACCEPTED BY CRS/YEMEN ON A TRIAL BASIS ONLY AND CAN BE MODIFIED OR NULLIFIED BY CRS AT ANY TIME IF CRS FINDS IT DETRIMENTAL TO THE INTENT OF THE AGREEMENT. END QUOTE. MISSION'S ANALYSIS IS REPEATED: YARG IS HOLDING FIRM ON WHAT APPEARS TO BE AN AREA UNCLASSIFIED

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WHICH INFRINGES ON CRS OPERATIONAL INDEPENDENCE AND CONTROL. C. MISSION: IN INTEREST OF MAINTAINING COOPERATING SPONSOR'S CONTROL OF PL 480 TITLE II PROGRAM AS DEFINED BY AID REG. 11, TITLE 22, PARA 211.5(B), PROGRAM SUPERVISION, MISSION REQUESTS AG OR OTHER OBJECTIVE AND AUTHORATIVE GUIDANCE ON ACCEPTABILITY OF CRS COMPROMISE POSITION PROPOSED IN MEMO OF UNDERSTANDING, PARA 2.B ABOVE. PLEASE ADVISE ASAP. SCOTES

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NNN

Message Attributes

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Sent Date: 21-Apr-1977 12:00:00 am
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Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
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Disposition Remarks:
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Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
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SAS ID: 2736667
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Subject: NEW TITLE II AGREEMENT NEGOTIATIONS
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vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/794c30a1-c288-dd11-92da-001cc4696bcc
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